

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEREK S. KRAMER,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

ORDER

10-cv-224-slc

Plaintiff Derek S. Kramer is proceeding on his First Amendment and Religious Land Use and Institutionalized Persons Act claims against defendants, contending that they denied him certain religious property and the opportunity to engage in group religious exercise with other Odinists. Plaintiff has moved to compel defendants to allow him to have an investigator take photographs of the following:

1. The inside of the GBCI chapel.
2. The GBCI religious tools storage area and the religious tools therein.
3. The area around the GBCI chapel.
4. The fenced in area behind the Health Services Unit and Receiving Unit Building at GBCI.
5. The GBCI area that has been set aside for the outside Native American Sweat lodge.
6. The areas around the garden areas outside of the recreation field at GBCI.
7. The inside of the Wood Tech (technical school) shop at GBCI.
8. The inside of plaintiff Derek Kramer's cell at WSPF.

9. The WSPF outside and inside area where the Pagan group(s) meet and hold Blot and rituals.

10. The outside of plaintiff Derek Kramer's cell door at WSPF.

11. Photographs of the Pagan religious tools.

As defendants point out, most of the areas plaintiff wishes to have his unidentified investigator photograph have no relevance to his claims in this lawsuit. Given the lack of relevance of these photographs, the defendants' security concerns about an investigator entering the institution to take the photographs outweighs plaintiff's interests in having these photographs.

Further, defendants have offered as a compromise to provide other information, such as dimensions and descriptions, in place of photographs of the requested locations. This strikes the court as a reasonable starting point. Therefore, plaintiff's motion to compel will be denied.

ORDER

IT IS ORDERED that plaintiff's motion to compel defendants to allow plaintiff's investigator to take photographic exhibits, dkt. 33, is DENIED.

Entered this 25th day of February, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge